

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI

Dutton Donald Beyer ^{Doc#} 1232356)
(full name) (Register No.))
_____))
_____))
Plaintiff(s).)
v.) Case No. _____
_____))
_____))
Pulaski County Jail)
(Full name)) Defendants are sued in their (check one):
officer Stapleton) ☒ Individual Capacity
At -> Pulaski County.) ☒ Official Capacity
Defendant(s).) ☒ Both

COMPLAINT UNDER THE CIVIL RIGHTS ACT OF 42 U.S.C. § 1983

I. Place of present confinement of plaintiff(s): South East Correctional Center

II. Parties to this civil action:

Please give your commitment name and any another name(s) you have used while incarcerated.

A. Plaintiff Dutton Donald Beyer Register No. 1232356
Address SECC 300 E Pedro Simmons
Charleston Mo, 63834

B. Defendant officer Stapleton
At Pulaski County.
Is employed as Correctional officer

For additional plaintiffs or defendants, provide above information in same format on a separate page.

III. Do your claims involve medical treatment? Yes _____ No X

IV. Do you request a jury trial? Yes ✓ No _____

V. Do you request money damages? Yes ✓ No _____

State the amount claimed? \$ 30,000 / 30,000 (actual/punitive)

VI. Are the wrongs alleged in your complaint continuing to occur? Yes _____ No X

VII. Grievance procedures:

A. Does your institution have an administrative or grievance procedure?

Yes ✓ No _____

B. Have the claims in this case been presented through an administrative or grievance procedure within the institution?

Yes ✗ No ✓

C. If a grievance was filed, state the date your claims were presented, how they were presented, and the result of that procedure. (Attach a copy of the final result.)

August 15, 2011, Co 1 Stapleton opened my Cell And
grab me by my neck hit me in the face repeatedly pushed me
out of my Cell And had other inmate cuff me up. my results denied.

D. If you have not filed a grievance, state the reasons.

the pulaski County Jail told me that i am in
a Chair So i can not write a grivance. ~~that's~~

VIII. Previous civil actions:

A. Have you begun other cases in state or federal courts dealing with the same facts involved in this case?

Yes _____ No X

B. Have you begun other cases in state or federal courts relating to the conditions of or treatment while incarcerated?

Yes _____ No X

C. If your answer is "Yes," to either of the above questions, provide the following information for each case.

(1) Style: _____
(Plaintiff) (Defendant)

(2) Date filed: _____

- (3) Court where filed: _____
- (4) Case Number and citation: _____
- (5) Basic claim made: _____
- (6) Date of disposition: _____
- (7) Disposition: _____
(Pending) (on appeal) (resolved)
- (8) If resolved, state whether for: _____
(Plaintiff or Defendant)

For additional cases, provide the above information in the same format on a separate page.

IX. Statement of claim:

- A. State here as briefly as possible the facts of your claim. Describe how each named defendant is involved. Include the names of other persons involved, dates and places. Describe specifically the injuries incurred. Do not give legal arguments or cite cases or statutes. You may do that in Item "B" below. If you allege related claims, number and set forth each claim in a separate paragraph. Use as much space as you need to state the facts. Attach extra sheets, if necessary. Unrelated separate claims should be raised in a separate civil action.

around the ~~the~~ ^{month} August 15, 2011 at Pulaski County Jail Co'l Stapleton was walking around And stop at my cell door i had something And i refused to give it to her She opened my cell grab me By the throat. And hit me in the face repeatedly She then threw me out in the hall And had inmate hold me down And cuff me up.

SEE Attached

- B. State briefly your legal theory or cite appropriate authority:

8th Amendment - failure to protect And cruel And unusual punishment

14th Amendment - due process

X. Relief: State briefly exactly what you want the court to do for you. Make no legal arguments.

prosecute Col Stapleton, lawsuit to be granted in my favor
money damages awarded, AND THAT PULASKI COUNTY JAIL
BE SUED AND COL STAPLETON BE CHARGED FOR ASSULT

XI. Counsel:

A. If someone other than a lawyer is assisting you in preparing this case, state the person's name. _____

B. Have you made any effort to contact a private lawyer to determine if he or she would represent you in this civil action? Yes _____ No X

If your answer is "Yes," state the names(s) and address(es) of each lawyer contacted.

C. Have you previously had a lawyer representing you in a civil action in this court?

Yes _____ No X

If your answer is "Yes," state the name and address of the lawyer.

I declare under penalty of perjury that the foregoing is true and correct.

Executed (signed) this 16 day of October 2012

Doc # 1232356

[Signature]
Signature(s) of Plaintiff(s)

ATTACHED STATEMENT

Comes now Dalton Beyer #1232356 bringing his Complaint against Pulask County Jail House & defendant Officer ms. Stapleton * for failure to protect cruel unusual Punishment And Due Process Rights.

Plaintiff was a resident at the pulaski County Jail with in the months of July to november of 2011. And the following Events occored that was totally barbari And Cruel Against plaintiff Dalton Beyer...

Around the month of August, 2011 At Pulaski County Plaintiff was sitting inside his Cell playing with some string And trying to stay away From being sociable with in the Jail house inmate. Plaintiff is a known Homeosexual So he try's to remain away from others so he will not be a target or - problem to others. Deffendent Co Stapleton "was walking pass plaintiff Beyer's Cell And asked what he was doing And what ever he has to give it up. Plaintiff Beyer's told deffendent Stapleton that he is not doing anything wrong And to leve him alone. Deffendent Stapleton then unlock plaintiff Beyer's Cell door. And walked in And grab plaintiff Beyer's bye the throat And with her other hand repeatedly hit Beyer's in the face with Deffendent Cell door key's. while deffendent was hitting plaintiff Beyer's deffendent Stapleton made verbel Comments about Plaintiff Beyer's deffendent said i am geting tired of

your stupid gay ass defendant then throw mr Beyers out of his cell And had other inmates cuff mr Beyer's All so other thing happined at pulaski County Jail Plaintiff Beyers was miss treated. was raped while on Suicide watch Co Gray was working graveyard shift he let a inmate in to mr. Beyer's cell "Note the cell mr. Beyer's was in had no Camra And Co do not do 15 min checks.. All so note that this ~~Rap~~ was told nothing was done about it.

Plaintiff Beyer told Col Gray about what happined gray the told morning shift Col Stapleton then came to mr Beyer's cell And told him to get used to the rap's Becaus were he is going it's going to happ And you like man anyway's So what's wrong it to Big. Stapleton all so said that prison rate for Hiv Aids are hi And she hopes that mr Beyers get Aid - Hiv, then everyone will call mr Beyers Hiv-Aid Bitch. mr. Beyer was going Crazy in pulaski County he did not have away to tell tell. mr. Beyer's tryed once But Stapleton told mr Beyers that if he tryes to tell she's going to make shes that mr. Beyer's gets Beat up or killed. mr. Beyer's still going crazy. that when Stapleton came And said keep it up Because ~~we~~ i got something for you. mr. Beyers ask what it is. Stapleton Just said you will see. Still going Crazy Stapleton wheel a restraint chair And told mr. Beyers to get in it mr. Beyers said No. Stapleton said you have No -

Choice in this matter. get in or i will put your
 ass in it. mr. Beyer said No!. Stapleton then pulled
 a hand held tazer from her belt. And put it to mr-
 Beyers Said And Said get in it or i will light you
 up-. After in the restraint chair mr. Beyer was locked
 in the cell with the lights out for more then 2 hour's
 next shift come on And seen mr Beyer's was told to
 let him out But if he keep it up put him back in. Staple-
 ton Said No! he's being good so leave him in in tell i
 get back in the morning. mr. Beyer's slip out of the
 chair that was holding mr. Beyer's down. So Stapleton
 put him back in And cuff him in it And strapped him
 in to about 3 day later Stapleton let mr. Beyer's out
 But left the chair in the cell with. Beyer's. mr Beyer
 then took the hand And leg's cuffs And cut threw
 all the straps in the chair. Stapleton Came Back to
 give mr. Beyer his food And see it. then threw
 the food on mr Beyer's. And Said ok See what i get
 for being nice So Stapleton then Called Emt And
 got a Back Board And had mr. Beyer's cuff And strapet
 to it. After that was not working she then had
 mr. Beyer's 4 point restrained on the floor But with
 no Clause on But ass nude cuff with hand cuff
 And leg cuff to the Bed legs After that the Court
 put mr. Beyer's date's Back to Back to get him
 out. Note All the happed the hole time mr. Beyer's
 was at the Palaski County.

"Note"

These Serious physical injuries of Being Beat raped And denied Due process violated my life. And the Adminstration At pulaski County Jail failed to protect me from the Cruel unusual punishment done by deffendant ms. Stapleton And pulaski County Jail failur to protect me from rape Assault And other needs.

Darrah Beyer #1222356

10-16-12

Latham Beyer #1234556
South East Correctional Center
300. E Pedro Simmons
Charleston mo, 63834.

11/19/12

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